

Local Form 3015-1 (1/22)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Richard Burton Paul Monroe

Case No. **22-41504**CHAPTER 13 PLAN ☒ ModifiedDated: **October 19, 2022**

Debtor.

In a joint case, debtor means debtors in this plan.

Part 1. NOTICE OF NONSTANDARD PLAN PROVISIONS, SECURED CLAIM LIMITATIONS, AND LIEN OR SECURITY INTEREST AVOIDANCE: Debtor must check the appropriate boxes below to state whether or not the plan includes each of the following items:

1.1	A limit on the amount of a secured claim based on a valuation of the collateral for the claim, set out in Parts 9 or 16	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
1.2	Avoidance of a security interest or lien, set out in Part 16	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 16	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not included

Part 2. DEBTOR'S PAYMENTS TO TRUSTEE: The initial plan payment is due not later than 30 days after the order for relief, unless the court orders otherwise.

2.1 As of the date of this plan, the debtor has paid the trustee \$__.

2.2 After the date of this plan, the debtor will pay the trustee:

Plan payment	Start MM/YYYY	End MM/YYYY	Total
\$1,550.00	10/2022	03/2026	\$65,100.00
\$1,820.00	04/2026	09/2027	\$32,760.00
TOTAL:			\$97,860.00

2.3 The minimum plan length is ☐ 36 months or ☒ 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.2.4 The debtor will also pay the trustee **the NET amount of all commission exceeding a gross amount of \$24,000.00 in each year of the plan, beginning in 2023, immediately upon receipt.**2.5 The debtor will pay the trustee a total of \$ **97,860.00** [lines 2.1 + 2.2 + 2.4]

Part 3. PAYMENTS BY TRUSTEE AND TRUSTEE'S FEES: Prior to confirmation of the plan, the trustee will pay from available funds payments designated as Adequate Protection ("Adq. Pro.") under Parts 8 and 9 to creditors with claims secured by personal property. All other funds will be disbursed by the trustee following confirmation of the plan as soon as is practicable. The trustee will pay from available funds only to creditors for which proofs of claim have been filed. The trustee is not required to retain funds for any claim for which a proof of claim has not been timely filed and may disburse those funds to other claimants. The trustee may collect a fee of up to 10% of plan payments, or \$ **9,786.00** [line 2.5 x .10]

Part 4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] — The debtor assumes the following executory contracts or unexpired leases. Debtor will pay directly to creditors all payments that come due after the date the petition was filed. Cure provisions, if any, are set forth in Part 7.

	Creditor	Description of Property
4.1	Yes Energy Management	Residential Lease

Part 5. CLAIMS NOT IN DEFAULT — Payments on the following claims are current. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any.

	Creditor	Description of Property
	-NONE-	

Part 6. HOME MORTGAGES IN DEFAULT (§§ 1322(b)(5) and 1322(e)) — The trustee will pay the amount of default listed in the proof of claim on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens. **All following entries are estimates.**

	Creditor	Amount of default	Monthly payment	Beginning in #mo./yr.	# of payments	Remaining Payments	+ amount paid to date by Trustee (mod plan only)	Total payments
	-NONE-							
TOTAL								\$0.00

Part 7. CLAIMS IN DEFAULT (§§ 1322 (b)(3) and (5) and 1322(e)): The trustee will pay the amount of default listed in the proof of claim in the amount allowed on the following claims. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any. **All following entries are estimates, except for interest rate.**

								<i>+ amount paid to date by Trustee (mod plan only)</i>	
	Creditor	Amount of default	Interest rate (if any)	Beginning in mo.yr	Monthly Payments	# of payments	Remaining Payments		= Total payments
	-NONE-								
TOTAL									\$0.00

Part 8. SECURED CLAIMS SUBJECT TO MODIFICATION (“CRAMDOWN”) PURSUANT TO § 506 (§ 1325(a)(5)) The trustee will pay the amount set forth in the “Total Payments” column below on the following secured claims if a proof of claim is filed and allowed. Notwithstanding a creditor’s proof of claim filed before or after confirmation, the amount listed in the secured claim amount column binds the creditor pursuant to 11 U.S.C. § 1327 and confirmation of the plan is a determination of the creditor’s allowed secured claim. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with FRBP 3012(c) controls over any contrary amount. Unless otherwise specified in Part 16, the creditors listed in this Part retain the liens securing their allowed secured claims to the extent provided under 11 U.S.C. § 1325(a)(5)(B)(i). Any allowed unsecured portion of the claim will be paid under Part 12, Part 13, or Part 14.

	Creditor	Est. Claim amount	Secured claim amount	Int. Rate	Adq. Pro. (Check)	Begin-ni ng in mo./yr.	Monthly payment	# of Payments	Remaining payments	+amount paid to date by Trustee (mod plan only)	= Total payments
					<input type="checkbox"/>						
TOTAL											\$0.00

Part 9. SECURED CLAIMS EXCLUDED FROM § 506 AND NOT SUBJECT TO MODIFICATION (“CRAMDOW”) (§ 1325(a) (910 vehicles and other things of value)(allowed secured claim controls over any contrary amount): The trustee will pay the amount of the allowed secured claim listed in the proof of claim at the interest rate set forth below. Any allowed unsecured portion of the claim will be paid under Part 12, Part 13, or Part 14. All following entries are estimates, except for interest rate. Unless otherwise specified in Part 16, the creditors listed in this Part retain the liens securing their allowed secured claims to the extent provided under 11 U.S.C. §1325(a)(5)(B)(i).

	Creditor	Est. Secured Claim amount	Int. rate	Adq. Pro. (Check)	Beginning in mo./yr.	Monthly payment	# of Payment s	Remaining payments	+amount paid to date by Trustee (mod plan only)	Total payments
9.1	Huntington National Bank	\$8,290.88	6.50	<input checked="" type="checkbox"/>	10/2022	\$369.33	2	\$738.66	\$0.00	\$8,863.86
					12/2022	\$369.33	22	\$8,125.20		
TOTAL										\$8,863.86

Part 10. PRIORITY CLAIMS (not including claims under Part 11): The trustee will pay in full all claims entitled to priority under § 507(a)(2) through (a)(10), including the following. **The amounts listed are estimates.** The trustee will pay the allowed portion of the priority amount listed in the proof of claim.

	Creditor	Claim Amount	Beginning in mo.yr.	Monthly payment	# of payments	Remaining payments	+ amount paid to date by Trustee (mod plan only)	=Total payments
10.1	Attorney Fees	\$3,500.00	10/2022	\$875.00	4	\$3,500.00	\$0.00	\$3,500.00
10.2	Internal Revenue Service	\$54,018.18	10/2022	Pro rata	Pro rata	\$54,018.18	\$0.00	\$54,018.18
10.3	MN Dept of Revenue	\$16,988.73	10/2022	Pro rata	Pro rata	\$16,988.73	\$0.00	\$16,988.73
TOTAL								\$74,506.91

Part 11. DOMESTIC SUPPORT OBLIGATION CLAIMS: The trustee will pay in full all domestic support obligation claims entitled to priority under § 507(a)(1), including the following. **The amounts listed are estimates.** The trustee will pay the allowed portion of the priority amount listed in the proof of claim.

	Creditor	Claim amount	Beginning in mo./yr.	Monthly payment	# of payments	Remaining payments	+ amount paid to date by Trustee (mod plan only)	=Total payments
	-NONE-							
TOTAL								\$0.00

Part 12. SEPARATE CLASSES OF UNSECURED CLAIMS — In addition to the class of unsecured claims specified in Part 13, there shall be separate classes of non-priority unsecured creditors including the following. The trustee will pay the allowed portion of the nonpriority amount listed in the proof of claim. **All following entries are estimates.**

	Creditor	Undersecured claim amount	Interest Rate (if any)	Beginning in mo./yr.	Monthly Payment	# of Payments	Remaining payments	+ amount paid to date by Trustee (mod plan only)	= Total payments
	-NONE-								
TOTAL									\$0.00

Part 13. TIMELY FILED UNSECURED CLAIMS — The trustee will pay holders of allowed non-priority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under Parts 3, 6, 7, 8, 9, 10, 11, and 12 their pro rata share of approximately \$ **4,703.23** [line 2.5 minus totals in Parts 3, 6, 7, 8, 9, 10, 11, and 12].

13.1 The debtor estimates that the total unsecured claims held by creditors listed in Part 8 and 9 are \$ **0.00**.

13.2 The debtor estimates that the debtor's total unsecured claims (excluding those in Part 8 and 9) are \$ **247,046.96**.

13.3 Total estimated unsecured claims are \$ **247,046.96** [lines 13.1 + 13.2].

Part 14. TARDILY-FILED UNSECURED CREDITORS — All money paid by the debtor to the trustee under Part 2, but not distributed by the trustee under Parts 3, 6, 7, 8, 9, 10, 11, 12, and 13, will be paid to holders of allowed nonpriority unsecured claims for which proofs of claim were tardily filed. Tardily filed claims remain subject to objection pursuant to 11 U.S.C. §502(b)(9).

Part 15. SURRENDER OF COLLATERAL AND REQUEST FOR TERMINATION OF STAY: The debtor has surrendered or will surrender the following property to the creditor. The debtor requests that the stays under §§ 362(a) and §§ 1301(a) be terminated as to the surrendered collateral upon confirmation of the plan.

Creditor	Description of Property (including complete legal description of real property)
-NONE-	

Part 16. NONSTANDARD PROVISIONS: The Trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. Any nonstandard provisions, as defined in FRBP 3015(c), must be in this Part. Any nonstandard provision placed elsewhere in the plan is void. Any request by the debtor to modify a claim secured only by a security interest in real property that is the debtor's principal residence must be listed in this Part and the debtor must bring a motion to determine the value of the secured claim pursuant to Local Rule 3012-1(a).

16.1	*The plan is a step plan which will pay as follows: \$1,550.00 Monthly for 42 months, then \$1,820.00 Monthly for 18 months
16.2	<p>A proof of claim may be filed by the Internal Revenue Service (IRS) for a claim against the debtor(s) for taxes that become payable to the IRS post-petition, limited to only the tax year for which the bankruptcy case was filed. The trustee shall pay such claim as submitted as funds are available pursuant to 11 U.S.C. Statute 1305.</p> <p>The debtor shall send the Trustee each year during the Chapter 13 Plan, copies of his/her federal and state income tax returns at the time they are filed. If the debtor receives a refund from the federal taxing agency but owes the state taxing agency (or vice-versa), the debtor will net the two out and pay the trustee the amount over \$1,200 for a single filer, or \$2,000 for a joint filer (not including any Earned Income Credit or Working Family Credit). Any additional amounts shall be turned over to the Chapter 13 trustee as additional plan payments.</p> <p>APPROVAL NOT REQUIRED TO INCUR POST PETITION DEBT. Approval by the bankruptcy court, or Chapter 13 trustee, shall not be required prior to debtor incurring ordinary consumer debt while this case is pending. Letters of approval will not be provided by the Chapter 13 trustee and one is not needed for debtor to incur post-petition ordinary consumer debt in Minnesota. All parties in interest retain all rights regarding the treatment of this debt in future modified plans and motions to confirm such plans.</p> <p>Upon the granting of relief from the automatic stay, the trustee shall cease payments on account of the secured portion of the applicable claim. For any claim arising from the granting of relief from the automatic stay, surrender, foreclosure, repossession, or return of any collateral to any creditor listed in Parts 5, 6, 7, 8, 9, 10, 16 or Non-standard provisions, for any reason, including plan modification, the trustee shall pay such claim as a general unsecured claim upon amendment of the applicable claim. Any alleged balance of any claim to such creditor shall be discharged upon the debtor(s) receiving a discharge in this case.</p> <p>All secured creditors being paid direct (outside the Chapter 13 plan) on the plan shall, upon confirmation of the plan, send debtor(s) monthly statements and are authorized to speak to debtor about post-petition payments.</p>
16.3	

SUMMARY OF PAYMENTS:

Class of Payment	Amount to be paid
Payments by trustee [Part 3]	\$ 9,786.00
Home mortgages in default [Part 6]	\$ 0.00
Claims in Default [Part 7]	\$ 0.00
Secured claims subject to modification (cramdown) pursuant to § 506 [Part 8]	\$ 0.00
Secured claims excluded from § 506 [Part 9]	\$ 8,863.86
Priority Claims [Part 10]	\$ 74,506.91
Domestic support obligation claims [Part 11]	\$ 0.00
Separate classes of unsecured claims [Part 12]	\$ 0.00
Timely filed unsecured claims [Part 13]	\$ 4,703.23
TOTAL (must equal line 2.5)	\$ 97,860.00

Certification regarding nonstandard provisions:

I certify that this plan contains no nonstandard provision except as placed in Part 16.

Signed: /s/ Jesse A. Horoshak
Jesse A. Horoshak 0387797
Attorney for debtor or debtor if pro se

Signed: /s/ Richard Burton Paul Monroe
Richard Burton Paul Monroe
Debtor 1

Signed: _____
Debtor 2 (if joint case)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Case No: 22-41504

Richard Burton Paul Monroe

Debtor(s).

NOTICE OF CONFIRMATION HEARING

PLEASE TAKE NOTICE that the Confirmation Hearing on the Chapter 13 Plan is scheduled on Tuesday, November 22, 2022, at 10:30 a.m., at the U.S. Bankruptcy Court, U.S. Courthouse, Courtroom 2A, 2nd Floor, 316 North Robert Street, St. Paul, Minnesota.

Any objection to the modified plan filed shall be filed and served not later than 24 hours prior to the time and date set for the confirmation hearing.

Dated this 19th day of October, 2022.

LIFEBACK LAW FIRM, P.A.

/e/ Jesse A. Horoshak - 0387797

Attorney for Debtor(s)
6445 Sycamore Court North
Maple Grove, MN 55369
(612) 843-0529
jesse@lifebacklaw.com

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Case No. 22-41504

Richard Burton Paul Monroe

Debtor(s).

UNSWORN CERTIFICATE OF SERVICE

I, Timothy A. Torreson, declare under penalty of perjury that on October 19, 2022, I caused to be served the Notice of Confirmation Hearing and Modified Chapter 13 Plan via the CM/ECF system to those parties requesting electronic notification and upon all parties in interest at the addresses set forth in the exhibit which is attached hereto, by first class mail.

Dated: October 19, 2022

/e/ Timothy A. Torreson
Timothy A. Torreson
LifeBack Law Firm, P.A.

Label Matrix for local noticing
0864-4
Case 22-41504
District of Minnesota
Minneapolis
Wed Oct 12 09:26:15 CDT 2022

Minneapolis
301 Diana E. Murphy U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415-1320

Alltran
PO Box 519
Sauk Rapids MN 56379-0519

Aspire Credit Card
Attn: Bankruptcy
Po Box 105555
Atlanta GA 30348-5555

(p)CITIBANK
PO BOX 790034
ST LOUIS MO 63179-0034

Citizen Bank
Mail Stop JCA115
Johnston RI 02919

Credit Bureau Data, Inc
Attn: Bankruptcy
518 State Street ,Po Box 2288
La Crosse WI 54602-2288

Creditor Advocates
PO BOX 1264
Prior Lake MN 55372-0864

Discover Bank
PO Box 30416
Salt Lake City UT 84130-0416

Discover Personal Loans
Attn: Bankruptcy
Po Box 6105
Carol Stream IL 60197-6105

Discover Personal Loans
PO Box 30954
Salt Lake City, UT 84130-0954

Ditech Financial LLC
4500 Park Glen Road
#300
St Louis Park MN 55416-4891

FinWise Bank/Opp Loans
Attn: Bankruptcy
130 E Randolph St, Ste 3400
Chicago IL 60601-6379

(p)FIRSTMARK SERVICES
121 S 13TH STREET STE 201
LINCOLN NE 68508-1911

First Premier Bank
Attn: Bankruptcy
Po Box 5524
Sioux Falls SD 57117-5524

Hennepin Health Care
PO Box 860048
Minneapolis MN 55486-0048

Huntington Bank
Attn: Bankruptcy
41 S High St
Columbus OH 43215-3406

Huntington National Bank
5555 Cleveland Ave GW4W25
Columbus OH 43231-4048

Internal Revenue Service
Centralized Insolvency
PO Box 7346
Philadelphia PA 19101-7346

LVNV Funding
Resurgent Capital Services LP
PO Box 10587
Greenville SC 29603-0587

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

MN Dept of Revenue
Attn: Denise Jones
PO Box 64447
Saint Paul MN 55164-0447

Midland Credit Management, Inc.
PO Box 2037
Warren, MI 48090-2037

NetCredit
175 W Jackson Blvd
Suite 1000
Chicago, IL 60604-2863

Netcredit/rb
Attn: Bankruptcy Dept
175 W Jackson Blvd Suite 1000
Chicago IL 60604-2863

North Memorial Med Center
3300 Oakdale Ave N
Robbinsdale MN 55422-2926

Oprtunmetabk
2 Circle Star Way
San Carlos CA 94070-6200

Prosper
c/o Weinstein & Riley
PO BOX 3978
Seattle WA 98124-3978

Quantum 3 Group
PO BOX 788
Kirkland WA 98083-0788

Quantum3 Group LLC as agent for
Velocity Investments LLC
PO Box 788
Kirkland, WA 98083-0788

(p)RAUSCH STURM LLP
250 N SUNNYSLOPE ROAD
BROOKFIELD WI 53005-4824

Resurgent Capital Services
Attn: Bankruptcy
Po Box 10497
Greenville SC 29603-0497

Ridgeview Clinics
500 S Maple Street
Waconia MN 55387-1791

Ridgeview Medical Center
500 South Maple Street
Waconia, MN 55387-1791

Select Portfolio Servicing, INC
PO Box 65450
Salt Lake City UT 84165-0450

Service Finance Company
Attn: Bankruptcy
555 S Federal Highway Ste 200
Boca Raton FL 33432-6033

Sofi Lending Corp
Attn: Bankruptcy
375 Healdsburg Ave Suite 280
Healdsburg CA 95448-4151

State Bank & Trust
555 S Federal Hwy #200
Boca Raton FL 33432-6033

Systems & Services/Best Egg
Attn: Bankruptcy
4315 Pickett Rd
Saint Joseph MO 64503-1600

The Huntington National Bank
PO Box 89424
Cleveland OH 44101-6424

Towd Point Mortgage Trust
c/o Select Portfolio Service
PO BOX 65450
Salt Lake City UT 84165-0450

Tri-State Adjustments
Attn: Bankruptcy
3439 East Avenue South
La Crosse WI 54601-7241

US Trustee
1015 US Courthouse
300 S 4th St
Minneapolis, MN 55415-3070

United Collection Bureau, Inc
5620 Southwyck Blvd.
Toledo OH 43614-1501

(p)UPGRADE INC
2 N CENTRAL AVE
10TH FLOOR
PHOENIX AZ 85004-2322

Usset Weingarden
4500 Park Glen Rd Ste 300
Minneapolis MN 55416-4891

VGM HOMELINK
3439 East Ave South
LA CROSSE, WI 54601-7241

Yes Energy Management
Woodlands of Minnetonka
10275 Greenbriar Rd
Minnetonka MN 55305-3420

Gregory A Burrell
100 South Fifth Street
Suite 480
Minneapolis, MN 55402-1250

Jesse A. Horoshak
LifeBack Law Firm, PA
6445 Sycamore Court North
Maple Grove, MN 55369-6028

Richard Burton Paul Monroe
10255 Greenbrier Rd #320
Hopkins, MN 55305-3427

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Citibank, N.A.
50 Northwest Pd Rd
Elk Grove Village IL 60007

First Mark Services
Attn: Bankruptcy
P.O. Box 82522
Lincoln NE 68501

Rausch Sturm
250 N Sunnyslope Rd, Ste 300
Brookfield WI 53005

Upgrade, Inc.
Attn: Bankruptcy
275 Battery Street 23rd Floor
San Francisco CA 94111

End of Label Matrix
Mailable recipients 50
Bypassed recipients 0
Total 50

REVISED 12/15

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re

Richard Burton Paul Monroe

Case No. **22-41504**

Debtor(s).

SIGNATURE DECLARATION

- ☐ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ VOLUNTARY CONVERSION, SCHEDULES AND STATEMENTS
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
☐ OTHER (PLEASE DESCRIBE: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, make the following declarations under penalty of perjury:

1. The information I have given my attorney for the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
2. The Social Security Number or Tax Identification Number I have given to my attorney for entry into the court's Case Management/Electronic Case Filing (CM/ECF) system as a part of the electronic commencement of the above-referenced case is true and correct;
3. **[individual debtors only]** If no Social Security Number was provided as described in paragraph 2 above, it is because I do not have a Social Security Number;
4. I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration;
5. My electronic signature contained on the documents filed with the Bankruptcy Court has the same effect as if it were my original signature on those documents; and
6. **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 10/07/2022

X Richard Monroe
Signature of Debtor1 or Authorized Representative

X _____
Signature of Debtor 2

Richard Burton Paul Monroe
Printed Name of Debtor 1 or Authorized Representative

Printed Name of Debtor 2